

REMARKS

Claims 1-13 and 17-24 are pending in this application. By this Amendment, claims 1-13 are amended, claims 17-24 are added and claims 14-16 are cancelled without prejudice to or disclaimer of the subject matter contained therein. No new matter has been added. Reconsideration of the application is respectfully requested.

The August 24 Office Action rejected claims 8-11 under 35 U.S.C. §102(e) over U.S. Patent No. 6,625,356 to Ticknor et al. (Ticknor) and claims 1-7 and 12-16 under 35 U.S.C. §103(a) over U.S. Patent No. 4,859,022 to Opdahl et al. (Opdahl). The October 19 Advisory Action states that the September 28 Amendment After Final Rejection overcame the rejection of claims 8-11 under 35 U.S.C. §102(e) over Ticknor and rejected claims 1-13 and 15-16, as discussed below.

Claims 1-13 and 15-16 are rejected under 35 U.S.C. §103(a) over Opdahl. The rejection of claims 15 and 16 has been rendered moot by the cancellation of claims 15 and 16. The rejection of the remaining claims is respectfully traversed for at least the following reasons.

Applicants respectfully submit that Opdahl fails to disclose or suggest all the features of claims 1-7 and 17 at least because Opdahl fails to disclose the combination of features recited in claim 1, including, *inter alia*, a micro optical device having an aligned waveguide switch comprising a semiconductor substrate, a stationary input part arranged on the semiconductor substrate, the stationary input part having a plurality of channels and each channel being an input waveguide, a stationary output part arranged on the semiconductor substrate, the stationary output part having a plurality of channels and each channel being an output waveguide, a movable part movably arranged on a semiconductor substrate, the movable part having a plurality of channels and each channel being a switching waveguide, the movable part being movable relative to the stationary input part and output parts, and at least

one stop block that limits movement of the movable part to align at least one of the switching waveguides with at least one of the input waveguides and at least one of the output waveguides, where movement of the movable part is substantially transverse.

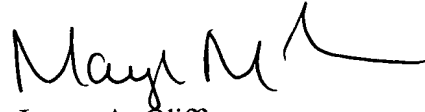
Applicants also respectfully submit that Opdahl fails to disclose or suggest all the features of claims 8-13 and 18-24 at least because Opdahl fails to disclose or suggest the combination of features recited in claim 8, including, *inter alia*, a method for fabricating a micro optical device having an aligned waveguide switch, comprising forming a crystal layer on a semiconductor substrate, forming a stationary input part a stationary output part and a movable part using the formed crystal layer, forming a plurality of channels in each of the stationary input part, stationary output part and the movable part, each of the channels being a waveguide, and forming at least one stop block that limits the movement of the movable part to align at least one of the waveguides of the movable part with at least one of the waveguides of the stationary input and output parts, where movement of the movable part is substantially transverse.

For at least these reasons, Applicants submit that Opdahl fails to disclose or suggest all the features of claims 1-13 and 17-24. It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: November 22, 2004

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